

SAO

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Attorney for Plaintiff,

DINA MAMUNES

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA, SOUTHERN DIVISION

DINA MAMUNES,

Plaintiff,

vs.

THE SIGNATURE CONDOMINIUMS,
LLC dba THE SIGNATURE AT MGM
GRAND, et al.,

Defendants.

Civil Action No.: 2:16-CV-01869-JCM-(PAL)

STIPULATION AND ORDER
REGARDING RULE 35 EXAM

Plaintiff DINA MAMUNES (“Plaintiff”) and Defendant THE SIGNATURE CONDOMINIUMS LLC dba THE SIGNATURE AT MGM GRAND (“Defendant”), by and through their respective attorneys, stipulate and agree as follows:

1. Plaintiff’s Rule 35 defense medical examination (“examination”) shall be conducted on March 22, 2017, at 9:00 a.m. by Dr. Andrew Cash, M.D. (“defense medical examiner”). No other medical doctor, physician, surgeon, chiropractor, defense attorney, adjuster or insurance representative shall be present during the examination. If necessary, the defense medical examiner may utilize a female member of his medical staff to assist during the examination;

2. Defendant will provide the defense medical examiner with Plaintiff's medical records, as disclosed by Plaintiff pursuant to Rule 26, to determine the body parts at issue and the scope of the examination. Plaintiff is not required to bring any medical records, medical billings, or diagnostic film(s) with her to the examination;
3. Any paperwork or forms that Defendant or the defense medical examiner require for the examination shall be submitted to Plaintiff's counsel no later than two (2) days prior to the date of the examination.
4. The physical portion of the examination shall be completed within two (2) hours and must be conducted in Clark County, Nevada;
5. The examination shall be exclusively limited to the physical conditions that Plaintiff has placed in controversy and nothing more. The defense medical examiner shall not make any inquiry regarding liability or comparative fault;
6. No x-rays, CT scans, or MRI's shall be taken of the Plaintiff during the examination;
7. The defense medical examiner shall not render any medical treatment to the Plaintiff;
8. The examination is not to be utilized as a mental or psychological examination of the Plaintiff;
9. The defense medical examiner shall be provided with a copy of this stipulation prior to the Plaintiff's examination;
10. Twenty (20) days following the examination, Defendants shall be provide Plaintiff's counsel with a copy of any and all reports and writings (i.e., notes) generated by the defense medical examiner, including, but not limited to: a detailed written report of the examiner setting out all of the examiner's findings, including results of all tests made, diagnoses, and conclusions, together with like reports of all earlier examinations of the same condition;

1 11. Plaintiff shall not pay or incur any fee for the examination and shall use her best efforts to
2 appear at the office of the defense medical examiner at the scheduled date and time. If
3 Plaintiff cannot appear for the examination, she will provide adequate notice the parties
4 and will agree to reschedule the examination;
5

6 DATED this 17th day of March, 2017.

DATED this 17th day of March, 2017.

7 **REMME LAW FIRM**

LEWIS BRISBOIS BISGAARD & SMITH, LLP

8
9 By: /s/ Jonathan T. Remmel
10 JONATHAN T. REMMEL, Esq. (8627)
11 6900 Westcliff Dr, Ste 504
12 Las Vegas, Nevada 89145
13 Attorney for Plaintiff,
14 DINA MAMUNES

By: /s/ Blake A. Doerr
Blake A. Doerr, Esq. (9001)
6385 S. Rainbow Blvd., Suite 600
Las Vegas, NV 89118
Attorney for Defendants,
THE SIGNATURE CONDOMINIUMS, LLC. dba
THE SIGNATURE AT MGM GRAND

15 **ORDER**

16 **IT IS SO ORDERED.**

17 
18 District Court

19 DATED this 3rd day of April, 2017.

20 Submitted by:

21 **REMME LAW FIRM**

22
23 /s/ Jonathan T. Remmel
24 JONATHAN T. REMMEL, Esq. (8627)
25 6900 Westcliff Drive, Ste 504
26 Las Vegas, NV 89145
27 Attorney for Plaintiff,
28 DINA MAMUNES